MONGOLIA 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of conscience and religion, prohibits discrimination based on religion, and mandates the separation of the activities of state and religious institutions. The law requires religious institutions to register with authorities but provides little detail on registration procedures, leaving local authorities to decide most of the specifics of implementation. The law prohibits hindering the free exercise of faith but limits proselytization.

In 2018, the government committed to revising the Law on the Relations Between the State and Religious Institutions, but as of year's end, no public information was available on the status or content of a draft update. Since the introduction of this proposed draft update five years ago, the Ulaanbaatar city government has not issued any new religious activity permits and there were 59 religious activity permit applications pending before the Ulaanbaatar city council as of year's end, some of which have been pending for years. Six religious groups delivered letters to the city council in April and June requesting it to implement existing law and grant religious activity permits.

Buddhism is the most commonly practiced faith in the country, and religious leaders from a variety of faiths cited instances of negative public sentiment toward "foreign" religious groups, a term they said was sometimes used to refer to non-Buddhist and non-Shamanist religious groups.

U.S. embassy and visiting Department of State officials discussed religious freedom concerns, including registration difficulties faced by religious groups and the renewal of religious visas, with high-level officials in the Office of the President, Ministry of Foreign Affairs, Ministry of Justice and Home Affairs, parliamentarians, provincial governments, the National Security Council, and the Ulaanbaatar city council. The Ambassador and Department of State officials met

regularly with religious leaders in Ulaanbaatar to discuss religious freedom and tolerance. Embassy officials held meetings with religious leaders in Dundgovi, Bayan-Ulgii, Uvs, Selenge, Orkhon, and Khuvsgul Provinces in February, September, and October and discussed the importance of religious freedom and tolerance. The embassy regularly promoted religious freedom on social media.

Section I. Religious Demography

The U.S. government estimates the total population at 3.4 million (midyear 2022). The most recent national census, conducted in 2020, reports that 59.4 percent of individuals who are 15 and older identify as religious, while 40.6 percent state they have no religious identity. Of those who expressed a religious identity, 87.1 percent identify as Buddhist, 5.4 percent as Muslim, 4.2 percent as Shamanist, 2.2 percent as Christian, and 1.1 percent as followers of other religions. The majority of Buddhists are Mahayana Buddhists. Many individuals practice elements of shamanism in combination with other religions, particularly Buddhism. The majority of Christians are Protestant. Other Christian groups in the country include The Church of Jesus Christ of Latter-day Saints, the Roman Catholic Church, Jehovah's Witnesses, the Russian Orthodox Church, and the Family Federation for World Peace and Unification (Unification Church). Other religious groups, including the Baha'i faith, also have a presence. The ethnic Kazakh community, located primarily in the far west, is majority Muslim.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution lists freedom of conscience and religion among the enumerated rights and freedoms guaranteed to citizens. The constitution prohibits discrimination based on religion. It prohibits the state from engaging in religious activity and religious institutions from pursuing political activities. The constitution specifies that the relationship between the state and religious institutions shall be regulated by law. The constitution states that in exercising

their rights, persons "shall not infringe on the national security, rights, and freedoms of others or violate public order." It further provides that the state shall respect all religions, and religions shall honor the state. The law provides that the state shall respect "the dominant position of Buddhism" in the country "in order to respect and uphold the traditions of the unity and civilization of the people." It further states, "This shall not prevent citizens from following other religions."

Under the criminal code, it is an offense to use or threaten to use force to hinder the activities or rituals of religious organizations, with penalties that include a fine ranging from 450,000 to 2.7 million tugriks ($130-$780), a community service obligation of 240-720 hours, and a travel ban ranging from one to six months. If a religious organization or religious representative, such as a priest, minister, imam, monk, or shaman, is found to have engaged in proselytization through force, pressure, or deception, or to have spread "cruel" religious ideology, penalties may include a fine of 450,000 to 5.4 million tugriks ($130-$1,600), a travel ban of six to 12 months, and six to 12 months' imprisonment. The law does not define what constitutes a "cruel" religious ideology.

The law on petty offenses provides for fines of 100,000 tugriks ($29) for individuals and one million tugriks ($290) for legal entities found to have recruited children to convert to or adopt a religion against their will. The law provides for a fine of 100,000 tugriks ($29) for individuals and one million tugriks ($290) for any legal entity for disclosing an individual's religion on identity documents without that person's consent or for interfering with the internal affairs of a religious organization unless otherwise allowed by law. The law also provides for a fine of 150,000 tugriks ($44) for individuals and 1.5 million tugriks ($440) for legal religious entities for conducting government or political activity or financing any such activity. The law specifies a fine of 300,000 tugriks ($87) for individuals and three million tugriks ($870) for legal entities for organizing religious training or gatherings on public premises, including schools.

The law forbids the spread of religious views by "force, pressure, material incentives, deception, or means that harm health or morals or are psychologically

damaging." It also prohibits the use of gifts for religious recruitment. The law on children's rights provides children the freedom to practice their faith.

The law prohibits religious groups from undertaking activities that "are inhumane or dangerous to the tradition and culture of the people of Mongolia," although there are no stated standards or legal definitions for what constitutes such activities.

The law prohibits hate speech and hate crimes under the criminal code. Discriminating against persons based on religion is punishable by a fine between 450,000 – 5.4 million tugriks ($130-$1,600), 240-270 hours of community service, or a travel ban of one month to one year.

Religious groups must register with local and provincial authorities as well as with the General Authority for State Registration (General Authority) to function legally. National law provides limited detail on registration procedures and does not stipulate the duration of registration, allowing local and provincial authorities to set their own rules. Religious groups must renew their registrations (in most cases annually) with multiple government institutions across local, provincial, and national levels. Each individual branch (or place of worship) of a religious organization is required to register or renew as an independent legal entity, regardless of any affiliation with a registered parent organization. Some local authorities require children under the age of 16 to provide written parental permission to participate in church activities.

A religious group must provide the following documentation to the relevant local provincial or municipal representative assembly when applying for registration: a letter requesting registration, a letter from the lower-level local authority granting approval to conduct religious services, a brief description of the group, the group's charter, documentation on the group's founding, a list of leaders, financial information, a declaration of assets (including any real estate owned), a lease or rental agreement (if applicable), brief biographic information on individuals wishing to conduct religious services, and the expected number of

worshippers. A religious group must provide the General Authority its approved registration application to receive a certificate for operation.

The renewal process requires a religious group to obtain a reference letter from the lower-level local authority (district/*soum* level) to be submitted with the required documents (updated as necessary) to the local provincial or municipal representative assembly. During the renewal process, the local provincial or municipal representatives commonly request a safety inspection of the religious organization's offices and places of worship and will order remediation of any deficiencies found. Upon approval, the relevant provincial or municipal representative assembly issues a resolution granting the religious institution permission to continue operations, and the organization sends a copy of the approved registration renewal to the General Authority, which enters the new validity dates on the religious institution's certificate for operation.

Public and private educational institutions are entitled to state funding for their secular curricula but are prohibited from using state funding for religious curricula. The education law prohibits all educational institutions from conducting any religious training, rituals, or activities with state-provided funding. A provincial or municipal representative assembly may deny registration renewals for religious groups that violate the ban on using state funding for the provision of religious instruction in educational institutions.

The law regulating civil and military service specifies that all male citizens between the ages of 18 and 25 must complete one year of compulsory military service. The law provides for alternatives to military service for citizens who submit an objection based on ethical or religious grounds. Alternative service with the Border Forces, National Emergency Management Agency, or a humanitarian organization is available to those who submit an ethical or religious objection. There is also a provision for paying the cost of one year's training and upkeep for a soldier in lieu of service.

Under the labor law, all legal entities, including religious institutions, must hire a stipulated number of citizens for every foreign employee hired. The government sets an annual quota in the form of a resolution, and this quota changes every year for each labor sector listed in the resolution. Groups not specified in the annual quota list must ensure 95 percent of their employees are citizens, and that additional foreign employees may be hired only if the 95 percent quota is met and maintained. The annual resolution, however, uniquely stipulates that religious groups could employ one foreign worker if they employed at least five Mongolian citizens and must meet and maintain no less than this one-to-five hiring ratio.

The law regulating the legal status of foreign nationals prohibits noncitizens from advertising, promoting, or practicing "inhumane" religions that could damage the national culture. The religion law includes a similar prohibition on religious institutions, both foreign and domestic, conducting "inhumane" or culturally damaging activities within the country.

Foreigners seeking to conduct religious activities, including proselytizing, must obtain religious visas, and all foreigners are prohibited from proselytizing, promoting, and practicing any religion that violates the "national culture" and law. Only registered religious groups may sponsor foreigners for religious visas. Foreigners who enter the country on other classes of visas are not allowed to undertake activities that advertise or promote any religion (as distinct from personal worship or other individual religious activity, which is permitted). Under the law, "Engaging in business other than one's purpose for coming" constitutes grounds for deportation.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

The government has stated its intent to pass a new law on religion, but this effort has not seen progress since drafting began and halted in 2018. As a result, the Ulaanbaatar city council stopped issuing new religious activity permits, citing

guidance to delay the issuance of new registrations until parliament passes a new religion law. There were 59 applications for new permits pending at the city council from various denominations at year's end, some of which have been pending for years.

Six faith groups, including Buddhists, Christians, and Muslims, collectively requested the Ulaanbaatar city council address the delay in reviewing registration applications. In April and June, the groups delivered letters to the chairman of the city council requesting implementation of the existing law for processing applications for new religious activity permits. The letters explained that applications of some religious groups had been pending for more than five years and that nonaction of the council would violate the constitution and other laws of the country. The groups sent copies to the National Human Rights Commission, the Human Rights Subcommittee in parliament, the United Nations, and foreign embassies.

Registration and renewal procedures continued to vary significantly across the country, largely depending upon the divergent practices of local government officials. The Ulaanbaatar city council continued to issue renewals valid for one year for existing buildings, but some religious groups continued to cite prolonged delays in processing. Other provincial and municipal representative assemblies issued renewals for either two or three years. An Ulaanbaatar city council official said Christian groups continued to constitute the majority of those seeking registration and renewal. Christian leaders continued to attribute the difficulty in obtaining visas for religious workers mainly to delays in the processing of such renewals. Christian and other religious groups stated other deterrents to registration included the difficulty and expense of establishing a dedicated, regular worship site and changing government personnel. Groups continued to state that the requirement that each local branch of the organization separately register or renew as an independent legal entity apart from its parent organization created additional bureaucratic burdens.

Government officials again stated that the government used the registration and renewal process to assess the activities of religious groups, monitor the number of places of worship and clergy, determine the ratio of foreigners to nationals conducting religious activities, and determine whether their facilities met safety requirements. City council officials said approval of applications that were ostensibly "denied" were more accurately "postponed" due to incomplete documentation and the poor physical condition of the place of worship, such as the lack of a proper fire exit or missing property lease agreements. In such cases, officials directed the religious organization to correct the deficiencies and resubmit its applications. Some Christian groups continued to state that the government inconsistently applied and interpreted regulations, changing procedures frequently and without notice. Some religious groups continued to state the registration and renewal process was arbitrary in some instances and that prolonged delays left them without any appeal mechanism during the waiting period.

Some Christian religious leaders said temporary unregistered status could leave their organizations vulnerable to financial audit and possible legal action. Several groups, however, reported they continued to operate normally, despite the fact that their renewal applications had remained pending for years.

Unregistered churches lacked official documents establishing themselves as legal entities and as a result could not own or lease land, file tax returns, or formally communicate with the government. Individual members of unregistered churches typically continued to own or lease property for church use in their personal capacity. Some unregistered religious groups said they often could still function, although some reported experiencing frequent visits by local tax officials, police, and representatives from other government agencies.

Jehovah's Witnesses continued to report that the religious activity permit renewal application for the Evangelizers of Good News of Holy Scriptures – their organization's legal entity in Ulaanbaatar's Nalaikh District – remained pending with the Ulaanbaatar city council. The Ulaanbaatar Court of First Instance (trial

court) in 2017 struck down the city council's decision to cancel the congregation's registration wherein the city council had stated registration posed a potential threat to national security. Although the city council had as a result of the court decision reversed its decision to annul the group's registration, it took no affirmative action to renew it. The group submitted a new application for renewal to the district council in October 2021, and as of year's end, it was awaiting a determination from the city council.

Religious groups continued to experience periodic audits, usually by officers from tax, immigration, local government, intelligence, and other agencies. Religious leaders said such audits typically took place once in a two-year period, but some inspection visits reportedly followed routine submissions of registration renewal applications. Ulaanbaatar city council officials, however, noted that in line with a government resolution to reduce bureaucratic resources, the council was no longer sending inspection teams every time a renewal application was received. They stated they only conducted inspections in cases where the council received a complaint.

Children under the age of 16 required written parental permission to participate in church activities in some areas. The government required churches to retain this document in church records and make it available upon request. According to the Christian groups, the government enforced this requirement more strictly on Christian groups, compared with other religious groups.

Some foreign nationals continued to face difficulties obtaining religious visas. Some religious groups noted that because the law required religious groups to hire at least five local employees for each sponsored foreign worker and the fees related to foreign workers were very costly, some groups could not afford to hire foreign religious staff. Christian groups reported foreign missionaries seeking to enter the country often did so under nonreligious visas (such as student, teacher, or business visas), which legally restricted them from conducting activities allowed under religious visas. They stated that inconsistent interpretations of the

activities in which they could legally engage left them vulnerable to deportation, although there were no known instances of this occurring during the year.

The validity of religious visas remained linked to a religious organization's registration, which some Christian religious groups said resulted in additional visa process or renewal challenges. Foreign citizens could not receive or renew a religious visa unless their religious organization's registration or renewal was already granted. The visa validity period corresponded with, and could not exceed, the registration validity of the holder's sponsoring organization.

While the law allowed citizens who had ethical or religious objections to military service to carry out alternative civilian service, a representative of Jehovah's Witnesses stated that this alternative option still required the citizen's participation in a two-week military drill organized by the military leadership of the relevant locality. Another alternative to mandatory military service was to pay the equivalent of the costs associated with one year's training and upkeep for one soldier, MNT 6,350,895 ($1,800), an excessive financial burden beyond the means of most of its members, the association stated. One Jehovah's Witness was called up for conscription in October. He was temporarily exempted from service upon submission of conscientious objection.

Section III. Status of Societal Respect for Religious Freedom

Religious leaders from a variety of faiths cited instances of negative public sentiment toward so-called "foreign" religious groups, a term they said was sometimes used to refer to non-Buddhist and non-Shamanist religious groups. There were instances when individuals on social media commented that after the construction of a Christian church, the land should have been used to build a kindergarten or school, instead of spreading Christianity.

The culture and religious policy advisor to the former President published an open letter to the Khamba Nomun Khan of Gandantegchinlen Monastery D. Choijamts stating that Khamba Nomun Khan was responsible for allowing non-Buddhist

religions to spread in the country. She said that Western politics are influencing religious policy in the country and that the Center of Mongolian Buddhists is not acting to stop them.

In December 2021, the Mongolian Evangelical Alliance (MEA) reported that the state-funded public television station Mongolian National Broadcaster (MNB) refused to broadcast its paid content for Christmas Day, despite having entered into an agreement for a nationwide broadcast. The MNB sent a notice of cancellation to the MEA on short notice, regretting that its content council ruled the content was inappropriate because it promoted Christianity by praising Jesus Christ and showing Christian rituals, although MNB did not state its legal reasoning and broadcasts other religious programming, including Buddhist rituals. MEA stated it believed the MNB's action was discriminatory and sent an official letter asking for explanation, to which the MNB did not respond. The MEA eventually broadcast the content on private channels, which have less reach compared with the MNB.

The NGO Civil Rights Development organized a series of three training events for religious leaders from September to October to empower and provide them with knowledge on the legal framework in the country for protecting religious freedom. Over 130 leaders from various faiths, including Christians and Muslims, attended training in Ulaanbaatar and Khentii Provinces.

Section IV. U.S. Government Policy and Engagement

The Ambassador and other Department of State officials regularly discussed religious freedom with government officials and shared the U.S. government's concerns regarding registration and visa difficulties religious groups reported at the national, local, and provincial levels. The Assistant Secretary of State for East Asian and Pacific Affairs addressed the importance of timely issuance of religious activity permits during U.S.-Mongolia annual bilateral consultations in Ulaanbaatar. In November, officials from the Department of State's Office of International Religious Freedom visited Ulaanbaatar to address permit issuances

with government officials and the state of freedom of religion and belief with representatives from religious groups. The Ambassador and other Department officers encouraged government leaders to enhance efforts to protect religious freedom, and they underscored the value of dialogue between the government and religious communities during meetings with parliamentarians and high-level officials in President Khurelsukh's office, the Ministry of Foreign Affairs, the Ministry of Justice and Home Affairs, the National Security Council, the Ulaanbaatar city council, and provincial and municipal governments.

The Ambassador routinely visited religious sites and met with local religious leaders in Ulaanbaatar and in his travels outside the capitol. In November, the Ambassador hosted a roundtable for religious leaders from Buddhist, Christian, Muslim, and other faiths. During visits made throughout the year, embassy officials met with local Buddhist, Muslim, and Christian leaders in Dundgovi, Bayan-Ulgii, Uvs, Selenge, Orkhon, and Khuvsgul Provinces and discussed the importance of religious freedom and tolerance with provincial authorities. In September, the embassy provided a small grant to a local NGO to conduct a series of trainings for religious leaders to improve their legal knowledge of religious freedom protections under the country's law. The embassy also regularly promoted religious freedom on social media, including posts by the Ambassador in Mongolian and English describing his visits to religious sites and meetings with religious leaders across the country's diverse faith communities.